

1 HOUSE BILL NO. 209

2 INTRODUCED BY SHOCKLEY

3 BY REQUEST OF THE LAW AND JUSTICE INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CONFORMING THE EFFECT OF A LIEN RESULTING FROM
6 FILING A TRANSCRIPT OF A JUDGMENT IN ANOTHER COUNTY TO THE LIEN RESULTING FROM THE
7 DOCKETING OF A JUDGMENT; AMENDING SECTION 25-9-302, MCA; AND PROVIDING AN IMMEDIATE
8 EFFECTIVE DATE."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 25-9-302, MCA, is amended to read:

13 **"25-9-302. Filing of transcript of docket in another county -- lien -- expiration.** (1) A transcript of
14 the original docket, certified by the clerk, may be filed with the district court clerk of any other county. From the
15 time of the filing, the judgment becomes a lien upon all real property of the judgment debtor that is not exempt
16 from execution in that county and that is either owned by the judgment debtor at the time or afterward acquired
17 by the judgment debtor before the lien expires. Except as provided in ~~subsection (2) 61-6-123~~, the lien continues
18 for ~~6~~ 10 years FROM THE DATE OF THE ENTRY OF THE JUDGMENT unless the judgment is previously satisfied.

19 (2) When the judgment is for the payment of child support, the lien continues for 10 years from the
20 termination of the support obligation or 10 years from entry of a lump-sum judgment or order for support arrears,
21 whichever is later, unless the judgment is previously satisfied."

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23 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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